

REMARKS

Claims 1-23 are pending.

Applicant acknowledges and appreciates the indication by the Examiner of allowable claims 3 and 13-23.

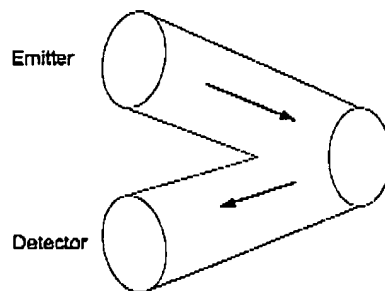
Applicant wishes to thank Examiner Kim for the telephone conversation which occurred on March 24, 2003.

The Applicant again respectfully requests the Examiner to correct the form PTO-1449 submitted to the PTO on April 29, 1999. Although the Examiner corrected the U.S. Patent No. to 5,410,141, "Keonik et al" should still be corrected to "Koenck et al". Applicant appreciates the Examiner's assistance in the above matter. Also, Applicant notes that in paragraph 4 of the Office Action mailed September 26, 2002, the Examiner refers to the incorrect patent number and inventor.

Amended claim 1 is directed to a display scanner for reading a barcode comprising: an optical panel including a plurality of stacked parallel optical waveguides defining an inlet face at one end and a screen at an opposite end, and each of the waveguides has a core laminated between cladding; a projector optically aligned with the inlet face for projecting a scan beam of light into the panel for transmission from the screen as a scan line to scan the barcode; a light sensor disposed in optical communication with the inlet face for detecting a return beam reflected from the barcode into the screen; and a decoder operatively joined with the sensor for decoding the return beam detected by the sensor to read the barcode.

In the Office Actions mailed July 18, 2001 and September 26, 2002, the Examiner rejected previous claim 1 under 35 U.S.C. § 103(a) over Eastman et al (U.S. Patent No. 5,786,585) in view of Agabra et al (U.S. Patent No. 6,126,075). However, none of the features

underlined in the paragraph above are shown or suggested by Eastman et al or Agabra et al. In view of the absence of such teachings, it is respectfully submitted that the invention of amended claim 1 is neither shown nor suggested by the cited prior art. For example, the Examiner relied on Agabra et al to teach that it would have been obvious to "employ well known method of wave-guide to the teachings of Eastman in order to efficiently transmit light from the source to remote locations and return light from remote locations to the sensors." The Examiner further states that "wave-guide helps preventing light from refracting and thus light in low intensity will still register". However, Applicant respectfully submits the limitations of claim 1, as now amended, are not disclosed nor taught by Agabra et al. In particular, amended claim 1 now requires the waveguides to be stacked and parallel. In contrast, Agabra et al's waveguides are V-shaped (as represented schematically by the Applicant in the below diagram).



Agabra et al's V-shaped waveguide configuration are clearly not stacked and are not parallel as per amended claim 1. Agabra et al's V-shaped waveguide configuration leads to the use of separate waveguides for incoming and outgoing light whereas it is possible in embodiments of the claimed invention (*note: the Amendment filed April 29, 2002 should have also said "it is possible" in this sentence since the feature of utilizing the same waveguide for both the incoming and outgoing light is not necessarily required for the invention to work*) that the waveguides of the present invention utilize the same waveguide for both the incoming and outgoing light. In paragraph 7 of the Office Action mailed September 26, 2002, the Examiner presents arguments which are unclear and not understood. The Examiner asserts that "a convention wave-guide is

constructed by cladding plurality of thin fiber optic plates, and the resulting shape of the waveguide is some variation of right triangles (see cited references for further details on waveguide structure)". However, this sentence (in which it appears that the Examiner is attempting to define a waveguide) is not understood and appears incorrect. Applicant cannot locate the origin of the Examiner's definition of (or further details on waveguide structure) in the other cited references as was indicated by the Examiner. A "waveguide" in general is known to be defined as a device which constrains or guides the propagation of electromagnetic waves along a path defined by the physical construction of the waveguide. An "optical waveguide" is known to be defined as a waveguide in which a light transmitting material such as glass or plastic fiber is used for transmitting information from point to point at wavelengths somewhere in the ultraviolet, visible light, or infrared portions of the spectrum<sup>1</sup>. Examiner's alleged definition of a waveguide thus clearly does not fall within these well-known definitions as presented above by Applicant.

The Examiner relies on waveguides 306 (and 310 - in Agabra et al's col. 15, lines 32-34 as presented by the Examiner in paragraph 5 of the Office Action mailed September 26, 2002) and waveguides 236 and 240 (in Agabra et al's col. 14, lines 2-3 as presented by the Examiner in paragraph 7 of the Office Action mailed September 26, 2002) which are combined to form V-shaped configurations. The Examiner alleges that each waveguide of the V-shape configurations is "a collection of thinly cut wave-guide resembling the figure 2 in instant application [sic]". However, Applicant respectfully submits this interpretation is clearly incorrect in that each waveguide of the V-shape configurations in Agabra et al is a fiber optic type waveguide having a cylindrical or circular cross section. Thus, Agabra et al's waveguides (i.e. either individually or combined in the V-shaped configurations) cannot be considered a plurality of stacked parallel optical waveguides as per amended claim 1. Therefore Agabra et al's waveguide configuration is functionally significantly different to the waveguide

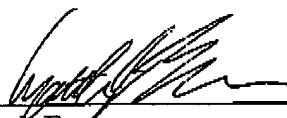
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<sup>1</sup> McGraw Hill Dictionary of Scientific & Technical Terms

configuration of the present invention as claimed in amended claim 1. Since Agabra et al and Eastman et al lack a teaching of these claimed features, Applicant respectfully submits the cited prior art, either alone or in combination, fails to teach the present invention as now claimed. As such, withdrawal of this rejection is respectfully requested.

In view of the foregoing amendments and remarks, it is respectfully submitted that pending independent claims 1, 3, and 13 are in condition for allowance. In addition, it is respectfully submitted that the remaining claims are allowable, because such claims depend from an allowable base claim. Reconsideration and further examination of the present application is therefore requested, and a notice of allowance is earnestly solicited.

Respectfully submitted,



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